

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28755 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Prabhu Sahni @ Prabha Sahni, Son of Vikarma Sahni,
2. Baleshwar Sahni, Son of Vikarma Sahni.
3. Bulet Sahni, Son of Prabhu Sahni @ Prabha Sahni,
All resident of Village Majhariya, P.S.- Mallahi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate.
Mr. Shivjee Singh, Advocate
For the informant : Mr. Binod Kumar Mishra, Advocate.
For the State : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-07-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend their arrest in **Paharpur**
P.S. Case No. 177 of 2017 instituted for the offence under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of
the Indian Penal Code.

Counsel for the petitioners has submitted that there is
specific allegation against Sarwan Sahni of giving *Barchi* blow to
Bhikhari Sahni @ Bhikhar Sahni on his stomach, thigh and right
hand. Later on he succumbed to the injury. Allegation against
petitioner No.1 is that he along with co-accused Chandra Shekhar



Sahni assaulted Vijay Sahni with *Farsa* and *Barchhi*. Petitioner No.2 assaulted Sateyndra Sahni with Farsa on his head and allegation against petitioner No. 3 is of assaulting Ajay Sahni with rod.

Case diary has been received.

The injury report of Ajay Sahni is available in paragraph 3 of the case diary wherein the Doctor has found one injury on parietal region but no description of injury has been mentioned. It is mentioned that patient was referred to Motihari Hospital. The injury found on the person of Ajay Sahni was simple in nature caused by hard and blunt substance.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Paharpur P.S. Case No. 177 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, East Champaran, Motihari**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned,



(2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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